

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

NMP-GROUP, LLC,

Case No. 13-

Debtor.

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**DECLARATION PURSUANT TO LOCAL RULE 1007-2**

**LUIZA DUBROVSKY**, being duly sworn, deposes and says:

1. I am manager of NMP-Group, LLC (the “Debtor”). As such, I am fully familiar with the facts set forth herein and am duly authorized to submit this Declaration in support of the petition by the Debtor for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) filed on the date hereof (the “Petition Date”).

2. I submit this Declaration pursuant to Rule 1007-2 of the Local Bankruptcy Rules for the Southern District of New York (the “Local Rules”). Except as otherwise indicated, all facts set forth in this Declaration are based upon my personal knowledge and my review of relevant documents.

**A. The Debtor’s Business and Factors Precipitating the Chapter 11 Case**

3. The Debtor is a limited liability company organized on March 8, 2007 under the laws of the State of New York. The Debtor was formed to acquire, own, improve, manage and operate the real property known as 172-179 Madison Avenue (a/k/a 21 East 33<sup>rd</sup> Street) New York, New York (the “Property”). The Property is intended for the development of a mixed-use building for retail and condominiums.

4. On June 12, 2013, the Supreme Court of the State of New York, County of New York entered a Judgment of Foreclosure and Sale (the “Foreclosure Judgment”) against the Debtor in favor of 172 Madison (NY), LLC (the “Lender”). In accordance with the Foreclosure Judgment, a public auction of the Property was scheduled for July 10, 2013 at 2:15 p.m. Facing a foreclosure of the Property, the Debtor determined in the exercise of its business judgment that filing for Chapter 11 protection was the best option to preserve the Property so that it can proceed with a contract for sale in an orderly fashion.

**B. Information Required by Local Rule 1007-2(a)**

5. In accordance with Local Rule 1007-2(a)(2), no case has been previously been filed by or against the Debtor under Chapters 7, 11, 13 or any other provision of the Bankruptcy Code.

6. In accordance with Local Rule 1007-2(a)(3), no creditors’ committee was organized before the Petition Date.

7. In accordance with Local Rule 1007-2(a)(4), the names and addresses of the largest unsecured creditors appear on Exhibit A to this Declaration.

8. In accordance with Local Rule 1007-2(a)(5), the names and addresses of the five largest secured creditors appear on Exhibit B to this Declaration.

9. In accordance with Local Rule 1007-2(a)(6), the Debtor has the following assets: (a) the Property having an estimated value of approximately \$68 million and (b) contingent, unliquidated claims for the recovery of money. The Debtor has the following liabilities: (a) secured claim to the Lender in accordance with the Foreclosure Judgment in the amount of \$51,645,270.72; (b) mechanics liens against the Property totaling \$40,891.57; (c) liens against

the Property for environmental and criminal violations totaling \$26,500; and (d) miscellaneous disputed, contingent and/or unliquidated unsecured claims.

10. In accordance with Local Rule 1007-2(a)(7), the Debtor is not a publicly held company.

11. In accordance with Local Rules 1007-2(a)(8), and to the best of my knowledge, information and belief, no property of the Debtor is in possession or custody of any custodian, public officer, receiver, trustee, mortgagee, pledgee, assignee of rent, secured creditor or agent of any of the foregoing.

12. In accordance with Local Rule 1007-2(a)(9), the Debtor owns the Property. The Debtor did not lease or otherwise hold any other arrangements for any premises from which its business was operated.

13. In accordance with Local Rule 1007-2(a)(10), the Property is located in New York, New York. The books and records of the Debtor are in possession of Robert Blessey, Esq., the Debtor's former attorney. The Debtor does not have any assets located outside of the United States.

14. In accordance with Local Rule 1007-2(a)(11), the following actions are currently pending against the Debtor: (a) Blane Fergus v. NMP-Group, LLC, Index No. 1543301/2013, Supreme Court of the State of New York, County of New York; (b) Pasargad Carpets, Inc. v. 180 Madison Prisa II LLC, et al., Index No. 158200/2012, Supreme Court of the State of New York, County of New York; and (c) 172 Madison (NY), LLC v. NMP-Group, LLC, et al., Index No. 650087/2010, Supreme Court of the State of New York, County of New York.

15. In accordance with Local Rule 1007-2(a)(12), I am the manager of the Debtor and have served in that capacity since May 2013. As manager, I am responsible for the day-to-day affairs of the Debtor.

I hereby declare under penalty of perjury that the foregoing is true.

**NMP-Group, LLC**

By: /s/ *Luiza Dubrovsky*  
LUIZA DUBROVSKY

Dated: July 10, 2013

# **EXHIBIT A**

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court**  
**Southern District of New York**

In re **NMP-Group, LLC**

Debtor(s)

Case No.

Chapter

**11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Clevenger Frable</b> <b>39 Westmoreland Avenue</b> <b>White Plains, NY 10606</b>	<b>Clevenger Frable</b> <b>39 Westmoreland Avenue</b> <b>White Plains, NY 10606</b>			<b>48.55</b>
<b>Cosentini Associates</b> <b>2 Pennsylvania Plaza</b> <b>New York, NY 10121</b>	<b>Cosentini Associates</b> <b>2 Pennsylvania Plaza</b> <b>New York, NY 10121</b>			<b>7,218.95</b>
<b>DeSimone Consulting Engineers, P.L.L.C.</b> <b>18 West 18th St., 10th Fl.</b> <b>New York, NY 10011</b>	<b>DeSimone Consulting Engineers, P.L.L.C.</b> <b>18 West 18th St., 10th Fl.</b> <b>New York, NY 10011</b>			<b>3,108.54</b>
<b>Blane Fergus</b> <b>c/o Mark E. Seitelman, Esq.</b> <b>111 Broadway, 9th Floor</b> <b>New York, NY 10006</b>	<b>Blane Fergus</b> <b>c/o Mark E. Seitelman, Esq.</b> <b>111 Broadway, 9th Floor</b> <b>New York, NY 10006</b>		<b>Contingent</b> <b>Unliquidated</b> <b>Disputed</b>	<b>Unknown</b>
<b>Gateway Demolition Inc.</b> <b>134-22 32nd Avenue</b> <b>Flushing, NY 11354</b>	<b>Gateway Demolition Inc.</b> <b>134-22 32nd Avenue</b> <b>Flushing, NY 11354</b>			<b>60,014.55</b>
<b>HRH Construction LLC</b> <b>50 Main Street</b> <b>15th Floor</b> <b>White Plains, NY 10606</b>	<b>HRH Construction LLC</b> <b>50 Main Street</b> <b>15th Floor</b> <b>White Plains, NY 10606</b>			<b>100,000.00</b>
<b>Israel Berger &amp; Associates</b> <b>360 Park Avenue South</b> <b>New York, NY 10010</b>	<b>Israel Berger &amp; Associates</b> <b>360 Park Avenue South</b> <b>New York, NY 10010</b>			<b>11,962.12</b>
<b>Jenkins &amp; Huntington</b> <b>1251 Avenue of the Americas</b> <b>New York, NY 10020</b>	<b>Jenkins &amp; Huntington</b> <b>1251 Avenue of the Americas</b> <b>New York, NY 10020</b>			<b>18,750.00</b>
<b>Juscor Inc.</b> <b>Attn: Edward A. Mermelstein</b> <b>302 Fifth Avenue, 8th Floor</b> <b>New York, NY 10001</b>	<b>Juscor Inc.</b> <b>Attn: Edward A. Mermelstein</b> <b>302 Fifth Avenue, 8th Floor</b> <b>New York, NY 10001</b>		<b>Contingent</b> <b>Unliquidated</b> <b>Disputed</b>	<b>Unknown</b>
<b>Meridian Capital Group</b> <b>Attn: Tal Bar-or</b> <b>1 Battery Park Plaza</b> <b>New York, NY 10004</b>	<b>Meridian Capital Group</b> <b>Attn: Tal Bar-or</b> <b>1 Battery Park Plaza</b> <b>New York, NY 10004</b>		<b>Contingent</b> <b>Unliquidated</b> <b>Disputed</b>	<b>Unknown</b>

B4 (Official Form 4) (12/07) - Cont.

In re **NMP-Group, LLC**

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Metropolis</b> 22 Cortlandt Street New York, NY 10007	<b>Metropolis</b> 22 Cortlandt Street New York, NY 10007			<b>350.00</b>
<b>Mueser Rutledge</b> 225 W. 34th Street New York, NY 10122	<b>Mueser Rutledge</b> 225 W. 34th Street New York, NY 10122			<b>8,820.04</b>
<b>Pasargad Carpets, Inc.</b> Jonathan Corbett, Weg & Meyers 52 Duane Street New York, NY 10007	<b>Pasargad Carpets, Inc.</b> Jonathan Corbett, Weg & Meyers 52 Duane Street New York, NY 10007		<b>Contingent Unliquidated Disputed</b>	<b>Unknown</b>
<b>Robert L. Blessey Law Offices</b> 51 Lyon Ridge Road Katonah, NY 10536	<b>Robert L. Blessey Law Offices</b> 51 Lyon Ridge Road Katonah, NY 10536		<b>Contingent Unliquidated Disputed</b>	<b>Unknown</b>
<b>SCAPE</b> 227 Broadway, Suite 1606 New York, NY 10007	<b>SCAPE</b> 227 Broadway, Suite 1606 New York, NY 10007			<b>10,202.86</b>
<b>SLCE Architects</b> 1359 Broadway New York, NY 10018	<b>SLCE Architects</b> 1359 Broadway New York, NY 10018			<b>169,578.18</b>
<b>Vibranalysis</b> 3109 Kingsbridge Avenue Bronx, NY 10463	<b>Vibranalysis</b> 3109 Kingsbridge Avenue Bronx, NY 10463			<b>3,450.00</b>
<b>Yates Restoration Group Ltd.</b> 36 Bruckner Blvd. Bronx, NY 10454	<b>Yates Restoration Group Ltd.</b> 36 Bruckner Blvd. Bronx, NY 10454			<b>117,272.75</b>

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Manager of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **July 10, 2013**

Signature **/s/ Luiza Dubrovsky**

**Luiza Dubrovsky**  
**Manager**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

# **EXHIBIT B**



**NMP-GROUP, LLC**  
**CASE NO. 13 -**

**CREDITORS HOLDING SECURED CLAIMS**

<b>Creditor's Name And Mailing Address</b>	<b>Amount Of Claim Without Deducting Value Of Collateral</b>
172 Madison (NY) LLC John Doherty, Esq. Alston & Bird LLP 90 Park Avenue New York, NY 10016-1387	\$51,645,270.72
Circle Rose Contracting Inc. 125 Charles Street Massapequa, NY 11758	\$26,130.00
Criminal Court of the City of New York 100 Centre Street New York, NY 10013	\$20,000.00
Environmental Control Board City of New York 66 John Street, Floor 10 New York, NY 10038-3772	\$1,500.00
Perimeter Bridges & Scaffold Co. 55 Cumberland Street Rockville Centre, NY 11570	\$15,329.46
Suzanne M. Berger, Esq. Referee Bryan Cave LLP 1290 Avenue of the Americas New York NY 10104	\$6,578.24